



# Public Knowledge

July 13, 2011

Marlene H. Dortch, Esq.  
Secretary  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: WC Docket No. 10-90, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, and CC Docket No. 96-45

Dear Ms. Dortch,

On July 13, 2011, Harold Feld, Meredith Filak, and Peter Broday from Public Knowledge ("PK"), met with Christine Kurth of Commissioner McDowell's office to discuss the Commission's NPRM regarding the Universal Service Fund (USF).

PK highlighted its comments on the NPRM, and stressed that, in order to better serve hardest-to-reach areas, recipients of USF support should be required to provide interconnection to neighboring un-served areas or areas that bidder isn't serving. PK also suggested that a small portion of the USF should be set aside to provide funds for one-time equipment purchases in a manner similar to the now-defunct Technology Opportunity Program. PK also stressed the need to consider metrics other than upload/download speed when considering comparability of service to rural areas, including network management practices, reliability, and data usage caps, among others. Moreover, PK proposed the classification of interconnected voice over internet protocol (interconnected VOIP) connections as a Title II service, and stressed that classification would provide the Commission with needed clear authority to act on a number of proposals, without requiring the adoption of a specific intercarrier compensation regime. The Commission would only need to ensure interconnection as required by Section 251(a) and just and reasonable rates and practices as required by Sections 201 and 202. PK also highlighted the position in its comments to the NPRM that SMS is clearly a Title II service and, in addition, that proper functioning of the USF requires the Commission to classify text messaging as a Title II service.

Sincerely,

/s Meredith Filak  
*Law Clerk*  
Public Knowledge